

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Oleg Kiselev, Ronald S. Karr
Assignee: Symantec Operating Corporation
Title: A METHOD OF DATA CACHING IN MIRRORED STORAGE
Application No.: 10/749,862 Filing Date: December 31, 2003
Examiner: Jared Ian Rutz Group Art Unit: 2187
Docket No.: VRT0058P1US Confirmation No.: 6313

Austin, Texas
October 27, 2009

Mail Stop RCE
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBLIGATE
NONSTATUTORY DOUBLE PATENTING REJECTION

Sir:

Petitioner, Symantec Operating Corporation, a Delaware corporation having a place of business at 350 Ellis Street, Mountain View, California 94043, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of **U.S. Patent Nos. 7,028,156, 7,177,993, and 7,096,332**. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned.

PATENT

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that any later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. § 1.20(d), the commissioner is authorized to charge the fee of \$140.00 to Deposit Account No. 502306 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he is authorized to sign on behalf of Petitioner.

Respectfully submitted,



Eric A. Stephenson
Attorney for Applicants
Reg. No. 38,321
Telephone: (512) 439-5093
Facsimile: (512) 439-5099